

MANDATE

S.D.N.Y.-N.Y.C.
09-cv-1714
Batts, J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 20th day of February, two thousand nineteen.

Present:

Barrington D. Parker,
Denny Chin,
Richard J. Sullivan,
Circuit Judges.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: Feb 20 2019

In re Deutsche Bank AG Securities Litigation

Deutsche Bank AG, et al.,

Petitioners,

v.

18-3036

Norbert G. Kaess, et al., on behalf of themselves and all
others similarly situated,

Respondents.

Petitioners request, pursuant to Federal Rule of Civil Procedure 23(f), leave to appeal the district court's order granting Respondents' motion for class certification. They also move to file a reply. Respondents move for this Court to consider their arguments raised in opposition to the motion for leave to file a reply. Upon due consideration, it is hereby ORDERED that the motion to file a reply is GRANTED, and the motion for this Court to consider Respondents' arguments in opposition to Petitioners' motion is GRANTED. It is further ORDERED that the Rule 23(f) petition is DENIED because an immediate appeal is not warranted. *See Sumitomo Copper Litig. v. Credit Lyonnais Rouse, Ltd.*, 262 F.3d 134, 139-40 (2d Cir. 2001).

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

Catherine O'Hagan Wolfe

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk of Court

Catherine O'Hagan Wolfe

MANDATE ISSUED ON 02/20/2019